

**AMENDED**  
**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER**  
**OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF**  
**NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office JAN 23 2004Returned to applicant for correction FEB 09 2004Corrected application filed FEB 17 2004Map filed FEB 17 2004

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The applicant **Lee Pearson**, hereby makes application for permission to change the **Point of Diversion and Place of Use** of water heretofore appropriated under **Application 59837**

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1. The source of water is **underground**
2. The amount of water to be changed **5.4 c.f.s**
3. The water to be used for **irrigation and domestic**
4. The water heretofore permitted for **irrigation and domestic**
5. The water is to be diverted at the following point **in the SW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 4, T.3N., R.70E, M.D.M. or at a point from which the southeast corner of said Section 4 bears S 88°44'21" E 1960.55'**
6. The existing permitted point of diversion is located within **NW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 10, T.4N., R.69E., M.D.M., or at a point from which the east quarter corner of said Section 10 bears S 41°52'35" E 3111.50'**
7. Proposed place of use **SE $\frac{1}{4}$  Section 4, T.3N., R.70E., M.D.M.; NE $\frac{1}{4}$  NW $\frac{1}{4}$ , NW $\frac{1}{4}$  NE $\frac{1}{4}$ , SE $\frac{1}{4}$  NW $\frac{1}{4}$ , SW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 9, T.3N., R.70E., M.D.M.**
8. Existing place of use **NE $\frac{1}{4}$  NE $\frac{1}{4}$ , SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 4; SW $\frac{1}{4}$  NW $\frac{1}{4}$ , NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 3; SW $\frac{1}{4}$  NE $\frac{1}{4}$ , SE $\frac{1}{4}$  NE $\frac{1}{4}$ , NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 10; NW $\frac{1}{4}$  SW $\frac{1}{4}$ , SW $\frac{1}{4}$  SW $\frac{1}{4}$ , SE $\frac{1}{4}$  SW $\frac{1}{4}$ , SW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 11; NE $\frac{1}{4}$  NW $\frac{1}{4}$ , NW $\frac{1}{4}$  NE $\frac{1}{4}$ , SW $\frac{1}{4}$  NE $\frac{1}{4}$ , SE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 14; SW $\frac{1}{4}$  NW $\frac{1}{4}$ , NW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 13; All in Township 4 North, Range 69 East M.D.M.**
9. Use will be from **January 1<sup>st</sup> to December 31<sup>st</sup>** of each year.
10. Use was permitted from **January 1<sup>st</sup> to December 31<sup>st</sup>** of each year.
11. Description of proposed works **well, pump, motor, pipelines and irrigation systems**
12. Estimated cost of works **\$75,000**
13. Estimated time required to construct works **3 yrs.**
14. Estimated time required to complete the application of water to beneficial use **4 years**
15. Remarks: **This is for a Desert Land Entry. It is a new location within the same basin. The Bureau of Land Management requested a change because of the poor configuration of the original application**

By **Lenard D. Smith**  
**s/Lenard D. Smith**  
**PO Box 443**  
**Caliente, Nevada 89008**

Compared cmf/ sam

Protested \_\_\_\_\_

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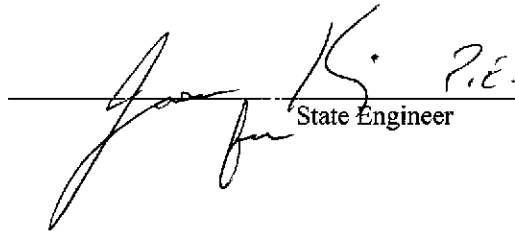
DENIAL OF STATE ENGINEER

This application is hereby denied on the grounds that no water right exists that can be changed by the application and, therefore, to grant a permit under said application would also threaten to prove detrimental to the public interest.

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 7th day of September, A.D. 2007.  
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State Engineer